



Kimberly A. Foster
Executive Director

LOS ANGELES COUNTY COMMISSION FOR CHILDREN AND FAMILIES

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APPROVED MINUTES

The General Meeting of the Commission for Children and Families was held on Monday, **March 19, 2007**, in room 739 of the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles. **Please note that these minutes are intended as a summary and not as a verbatim transcription of events at this meeting.**

COMMISSIONERS PRESENT (Quorum Established)

Carol O. Biondi
Hon. Joyce Fahey
Ann E. Franzen
Susan F. Friedman
Helen A. Kleinberg
Rev. Cecil L. Murray
Sandra Rudnick
Adelina Sorkin
Dr. Harriette F. Williams
Trula J. Worthy-Clayton

COMMISSIONERS ABSENT (Excused/Unexcused)

Patricia Curry
Dr. La-Doris McClaney
Wendy L. Ramallo

APPROVAL OF AGENDA

The agenda for the March 19, 2007, meeting was unanimously approved as revised.

APPROVAL OF MINUTES

The minutes of the March 5, 2007, general meeting were unanimously approved.

DIRECTOR'S REPORT

- With regard to the relative caregiver payment rate raised at an earlier Commission meeting, Department of Children and Family Services director Trish Ploehn reported that DCFS is still collecting information regarding types of placement as well as spe-

cialized payment rates for D and F rate homes. From August 2006 through January 2007, 697 requests for D rate certification were made, approximately 30 percent of them by relative caregivers. These requests were forwarded to the Department of Mental Health, which approved 89 percent. (Denials typically involved children under the age of three, or those who did not exhibit symptoms as described.) During that same period, 850 requests for F rate certification were received, about half from relative caregivers, and almost all were approved. Department of Health Services public health nurses have been asked to begin tracking these numbers, and an initial report should be available in 90 days.

- Dr. Barbara Solomon is expected to complete the evaluation of the family preservation program within the next two weeks. She is working with a University of Southern California programmer to migrate the data to DCFS's computer system and test its integrity. In conjunction with the Inter-University Research Consortium, DCFS will then continue an analysis of the data. Issues regarding the agreement with the consortium have been resolved, and that contract should be finalized soon.
- Ms. Ploehn distributed charts showing information on youth in the DCFS system who have minor children of their own. As of mid-March, 338 parents have active DCFS cases and 7 have no active cases, but their babies do. Of the babies and children of these parents, 153 have active cases of their own—in other words, they have been detained—and 209 do not. (SB 500 now allows payment of the full rate for a minor mother's baby without detaining the child.) Eleven youngsters are between the ages of five and eight, and the remaining 358 are five years and under. The largest geographic concentration of parenting minors is in SPA 6, followed by SPAs 3 and 4.

Commissioner Williams asked that Angela Carter and Harvey Kawasaki be made aware of these families so that prevention efforts can ensure that the children receive services. She will also inform First 5 LA of this population's needs.

- Title IV-E waiver discussions continue with the state. A potential disallowance of about \$12 million has been identified based on what was being paid for the hotline in fiscal years 2002–2003 through 2004–2005, which could reduce the waiver total to about \$60 million over the five-year period. However, Ms. Ploehn is hopeful that at least a portion of that, if not the entirety, will be offset.
- As of now, mandated permanency priorities for children in care are reunification first and adoption second. Ms. Ploehn distributed copies of AB 298, which would modify those priorities to:
 1. Reunification
 2. Adoption with a relative
 3. Legal guardianship with a relative
 4. Adoption with a stranger

Moving guardianship with a relative ahead of adoption with a stranger should lessen the pressure relatives sometimes feel to legally adopt, and alleviate concerns about relatives who are reluctant to adopt being ignored in favor of nonrelatives. A recent amendment to the bill would also require the county, in the event that a guardianship is at risk of being set aside for any reason, to treat that entity as a family, offering family maintenance and family reunification services to keep the guardianship intact and save the placement.

Though the legislation does not mention Kin-GAP (Kinship Guardian Assistance Payments) specifically, the bill should not change a relative's ability to access that financial assistance, which is available to families with a closed legal guardianship case. Other recent bills deal with financial resources, and Ms. Ploehn will find out if this one does as well. At a child welfare conference she attended in Washington, DC, last week, she noted a new focus on permanency with relatives and what is needed to support them.

Chair Kleinberg asked about the tracking of adoptions and legal guardianships with grandparents, and what happens to children if their caregivers die. Under California law, if a legal guardian is no longer able to fulfill that function for whatever reason, the court must establish a new permanent plan for the child, an option not available with adoption. These issues are being discussed by the court's permanency committee, which is currently considering the goals of the two different choices. Commissioner Williams and Commissioner Worthy-Clayton both volunteered to attend meetings of that committee, which gathers every other month.

KATIE A. LAWSUIT

Kim Lewis from the Western Center on Law and Poverty, plaintiffs' counsel in the Katie A. lawsuit, distributed a fact sheet summarizing the background, objectives, and settlement of the case. The class-action lawsuit was brought in 2002 against Los Angeles County and the California departments of health services and social services, to ensure that Medi-Cal-eligible children receive in-home and community-based mental health services to enable them to remain with their families or in stable placements, rather than in congregate care. The goals of the lawsuit are broad, including individualized mental health treatment, good child welfare practices, and making sure children need not enter the foster care system to receive necessary services.

On the state side, a preliminary injunction was requested in October 2005 to require the state to provide wraparound services and therapeutic foster care to children at risk of coming into the dependency system and to those already detained—approximately 80,000 children and youth statewide. That injunction was granted in March 2006, but the state has appealed the decision with the Ninth Circuit Court of Appeals and is resisting implementation until the appeal is decided. The state's objections primarily hinge on cost.

A settlement agreement with Los Angeles County was put in place in July 2003, and a panel of six national experts has been monitoring implementation, issuing five progress reports so far. DCFS and the Department of Mental Health developed a joint plan that

was approved by the Board of Supervisors in October 2005, but plaintiffs—believing that plan did not fully address the county’s obligations under the settlement agreement—filed a motion in March 2006 seeking compliance with the settlement agreement. In November the court ordered a revised plan, which must include:

- Identifying and meeting the mental health treatment needs of nondetained children and youth
- Clarifying the mental health needs of children in D rate homes and foster family agencies
- Expanding wraparound and therapeutic foster care services
- Defining how the county will develop sufficient capacity to provide intensive mental health services to all children who need them

A revised plan is being drafted now, the panel’s next report is due the end of this month, and the first phase of the 2005 plan—intensive in-home services—is rolling out by service planning area. Ms. Lewis said that DCFS and DMH are communicating, collaborating, and working together more routinely now than ever before, taking shared responsibility for children despite system-specific funding streams. She hopes that the revised plan will provide a global framework for system redesign, possibly serving as a model for the state by incorporating strategies for reinvesting saved monies, bringing intensive services to scale, and improving data systems so that children in both systems can be identified more accurately.

The closure of MacLaren Children’s Center—a direct result of the Katie A. lawsuit—deprived social workers of the breathing space to find the best possible placement for a given child, Commissioner Biondi said, something the settlement agreement does not address. It also makes no provision for therapeutic placement for children who would otherwise be incarcerated, which MacLaren offered as well, and four years later children with severe mental health issues are ending up in jail. The therapeutic foster care model may be appropriate for those youth, Ms. Lewis said, noting that the panel is very concerned about youth crossing over from the dependency to the delinquency systems, especially since money has not been available for them in Probation for a long time. (Probation was not a party to the Katie A. lawsuit and thus has no formal role in the settlement, although high-level Probation representatives have been attending weekly meetings on these issues for the past six or eight months.) Brandon Nichols of County Counsel suggested, with the reduced reliance on group care, that DCFS work with group home providers to offer short-term housing for youth in crisis, stabilizing them with intensive mental health services and then sending them back to their communities. With the closure of MacLaren, no 24-hour placement resources exist except the jail, although a mobile crisis stabilization unit run by DMH is being planned.

Commissioner Fahey asked if children are being hospitalized, as many MacLaren youth were, and Mr. Nichols said that the panel is pushing for comprehensive data collection and DCFS has agreed to track and review that information. The Commission has looked at Metropolitan State Hospital over the years and would not consider it an appropriate

placement for children, even those with great needs, for a variety of reasons. Ms. Lewis agreed, suggesting that discontinuing its use be considered.

The number of children receiving in-home intensive services—those who in earlier times would have been placed in MacLaren or in RCL 12 or 14 facilities—has risen, and those placements tend to be stable. The quality of services is being evaluated in three ways:

- Through Los Angeles County's move to performance-based contracts, whose funding is dependent on providers achieving specified goals
- Through DCFS's adoption of evidence-based practices with proven outcomes
- By monitoring providers for fidelity to practice models

With regard to youth with dual diagnoses or co-occurring disorders (mental health issues and substance abuse, for instance), wraparound services are designed to address all the needs of the child, including self-medication and other factors that may be preventing successful mental health treatment. Although Judge Nash is developing protocols for system children with substance abuse problems, mandating treatment is not an option, and even documenting drug use is tricky because of its criminal nature.

A number of different funding streams will be accessed to provide the services in the settlement plan, including the Mental Health Services Act, Title IV-E and the Title IV-E waiver, and existing Federal EPSDT (Early Periodic Screening, Diagnosis, and Treatment) monies. Chair Kleinberg expressed her excitement at the cooperation between the DCFS executive team and the Katie A. panel, and their receptivity to each other.

CALIFORNIA YOUTH CONNECTION

Berisha Black, Los Angeles County emancipation ombudsman, introduced CYC participants **Simone _____** and **Portia Williams**, CYC staff members Jacque Lindeman and Haydee Cuza, and Michelle McKinney from Public Counsel. Ms. Black expressed appreciation to Commissioner Curry for her advocacy in establishing the ombudsman's office, and thanked Ms. Ploehn and Rhelda Shabazz for their support of CYC.

During CYC's annual Day at the Capitol in January, 20 youth and five adult supporters from Los Angeles County, along with more than 150 youth from around the state, traveled to Sacramento to encourage legislators to support Assemblymember Karen Bass's bill that would ensure services for youth who have crossed over from the dependency to the delinquency system. Ms. **Williams** and Ms. **[Simone]** described the two days of workshops prior to these presentations, as well as the provisions of the bill, AB 638, which would guarantee that crossover youth would remain eligible for all services offered to youth in the foster care system—independent living program (ILP) services, transitional housing, reunification with family members, visitation with siblings, and so on. The bill applies specifically to youth who enter the delinquency system prior to their sixteenth birthday (the qualification trigger for ILP services) and do not return to the dependency system. Right now, if they enter probation before they turn 16, they are deemed ineligible for transitional housing and other services when they emancipate. The bill would also ensure that ILP services are available to youth in probation camps, overruling the state's

opinion that ILP funds cannot be used in locked facilities. Ms. Cuza will ascertain if court-appointed special advocate—CASA—relationships would also be available to these youth. In Los Angeles County, CASAs are not involved in the delinquency system, but elsewhere they are.

Crossover youth are a small part of the foster care population—Ms. Black promised Commissioner Biondi a copy of a study that identified 580 youth—and most cannot participate in CYC because of their incarceration. Nonetheless, CYC youth chose to champion this bill in spite of the difficulties of persuading legislators of its merits, and Ms. Lindeman commended that decision. CYC did receive some queries about why it was helping ‘the bad kids,’ and Ms. McKinney took exception to that label, saying that violent and other behaviors are symptoms. Had incidents in group homes and schools happened with ‘normal’ youth, the police would not have been called. Once youth are connected to the juvenile justice system, Commissioner Biondi remarked, they lose their license to be teenagers.

Sadly, several CYC members—crossover youth in foster care placements—who had planned to attend the Sacramento event were denied permission to do so by their probation officers. Their voices would have been very powerful, Ms. Cuza said, and probation officers and social workers need to understand that the event is not a vacation, but very hard work. Two brothers, for example, spent all night practicing their presentations, then met the next day with six legislators in six hours to tell of their separation during one brother’s incarceration in juvenile hall. The second brother characterized the separation as “the worst thing that ever happened to me in foster care. My brother is all I have.”

Front-line workers need to be educated, Ms. Black believes, on how experiences like CYC’s events can change lives and introduce youth to working in the advocacy field. CYC’s statewide office wants to continue to include Los Angeles County youth, and would appreciate support for their involvement. One young man’s permission to attend was revoked too late to obtain a court order allowing him to go, although a blanket order does exist. The Probation Department’s Lisa Campbell-Mouton was very sorry to hear that, as her colleagues are extremely appreciative of CYC and its efforts and want to arrange more events for probation youth as part of the cultural shift within that department. She asked to be notified personally if a similar situation arises in the future.

Ms. McKinney described her work at Public Counsel with youth transitioning out of the juvenile justice system, who all too often are released into homelessness without any support system. Housing for them is scarce, and difficulties are compounded if they have medical or mental health issues, or are undocumented. She praised the good relationships that exist between Public Counsel and the ILP divisions at DCFS and Probation, and with the Department of Mental Health in rolling out the Mental Health Services Act programs for transition-aged youth. Unfortunately, challenges continue outside of these realms.

- **Transportation** is a huge issue for youth, who often cannot participate in CYC or other activities because they are juggling ILP classes, part-time or full-time jobs, part-

time or full-time school schedules, and sometimes the burdens of single parenthood—all while navigating Los Angeles County by bus.

- **Individualized services** are not available, only a menu of existing programs.
- **Evictions** from transitional housing are common, and youth end up on the streets. After being abused, abandoned, or neglected by their families prior to coming into care, youth often don't handle being on their own well, breaking housing rules by self-medicating with alcohol or drugs, smoking in their apartments, coming in after curfew, or losing their employment. Ms. McKinney would like to see more thought given to the way housing policies are implemented.
- **Mental health issues** loom large. Resources and services are being expanded, but they are still limited, and youth are resistant to identifying themselves as mentally ill or requiring help. A campaign is needed while these youth are still in care to persuade them of the importance of dealing with these issues, which can also cause difficulties and evictions from transitional housing situations.
- Youth are not being prepared to deal with **medical and dental issues**, often waiting to visit health care professionals until they are very sick, or not being articulate about their needs in the face of harried, unreceptive doctors.

Ms. McKinney told of two brothers who had grown up in foster care, one who had transitioned out of the delinquency system and lost services, and one who had mental health issues. The latter—with kidney problems requiring regular dialysis—found housing, but his sibling was not allowed in the same placement, despite the fact that he was a match for his brother's desperately needed transplant. The surgery was delayed for three months until housing was secured through Ms. McKinney's supervisor and the Alliance for Children's Rights, and the kidney transplant is scheduled for next week. Another of Ms. McKinney's clients, hospitalized for the third time this year with sickle cell anemia, grew up in foster care and lost his housing because of his illness. Until she can find him a place to live, he will be sleeping in his car when he leaves the hospital.

- **Credit** is widely available once youth turn 18, but they have little knowledge of its pitfalls and often run up bills they can't pay, a situation that then prevents them from obtaining permanent housing or signing up for utilities once they are no longer eligible for ILP. The Alliance for Children's Rights has created training materials on credit, but that education needs to happen while youth are still in care.
- **Employment** is a continuing concern for foster youth who do not obtain their high school diplomas while in care, or who don't go on to higher education.

Recent major housing initiatives include:

- A homeless initiative allowing transitional housing up to age 25 for youth not eligible for ILP services
- The Mental Health Services Act supportive services for housing, full-service partnerships, and systems navigators
- A homeless prevention allocation of \$3 million over three years to help house foster and probation youth until their 25th birthday (two separate programs being implemented April 15)

Legislation to extend dependency services past age 18 was introduced last year, but didn't pass, and a similar bill has appeared this year. (Housing is available to age 24.) Keeping youth in care three years longer will not necessarily mean they are better prepared for life afterwards, Ms. Cuza cautioned, since placement restrictions often curtail independence. Support systems must be built for emancipating youth, especially because studies show that even in 'regular' families, youth are not now becoming financially independent until around age 26.

Communicating with youth about to emancipate, making sure they know their options, is not as simple as it might seem. Internet-savvy youth are increasingly finding out about services through the ILP website, but despite the county's best efforts at contact, not all youth get their mail, some have switched schools so often that they cannot read, social workers can have inaccurate addresses, and youth sometimes run away from placement. The court could be a point of contact, but emancipation hearings often take place without the minor being present. Although that could be required, an advocate whom the youth chooses should also be there, Ms. Cuza said, citing an instance of a young woman who was spoken to in such a way by the bench officer that she spent her entire hearing in tears, unable to speak up to prevent her child from being removed. Ivy Carey from the Children's Law Center said that the young woman's attorney, required to represent her, should have been more supportive; in fact, another group of lawyers specifically represents minor parents, so the girl should have had two attorneys in her corner. Part of the problem is that youth often don't have a relationship with their ILP coordinators and attorneys don't know who that is unless the social worker has made a point of connecting them. Ms. Carey suggested that ILP contact information be included in court reports, and that youth should be referred to CYC or the ombudsman's office, or call her personally.

CYC adult supporter Howard Jacobs commented on the power behind personal stories and the differences between theory and reality. He suggested expanding the Commission to include one-third former foster youth, using the model of the HIV Commission, which requires a third of its members to be persons living with HIV and receiving services. He also proposed that the Commission formally recommend the Board of Supervisor's support for the legislation promoted by CYC.

Commissioner Biondi moved that the Commission recommend to the Board of Supervisors that it formally support AB 638, sponsored by Assemblymembers Karen Bass and Bill Maze, to ensure that youth crossing over from the dependency

to the delinquency systems continue to receive all child welfare services. Commissioner Worthy-Clayton seconded the motion, and it was unanimously approved. A hearing on the bill is scheduled in Sacramento for March 27, and CYC representatives were asked to contact Commissioner Biondi if they would like probation youth to testify.

Chair Kleinberg thanked Ms. Black and the rest of the panel for their presentation, expressing her hope that this would be the first of many updates from CYC.

ANNOUNCEMENTS

An open house is planned for March 20 at 4:00 p.m. at Hollywood CPR (Cinema Production Resources), a nonprofit that trains at-risk youth for union jobs in the movie industry. The program can take 400 youth a year, and it is looking for more referrals.

PUBLIC COMMENT

There was no public comment.

MEETING ADJOURNED